

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant:	§	
	§	
	§	
	§	Confirmation No.: 4059
Serial No.:	§	
	§	
	§	
	§	
Filed:	§	Group Art Unit: 1611
	§	
For:	§	
SYNERGISTIC COMPOSITIONS AND	§	
METHODS FOR POTENTIATING	§	
ANTI-OXIDATIVE ACTIVITY	§	
	§	
	§	Attorney
	§	Docket: 32467
Examiner:	§	(Previously: 2488.021)
BUCKLEY, AUDREA	§	

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ELECTION MADE IN RESPONSE TO RESTRICTION

Sir:

This is in response to the United States Patent and Trademark Restriction Office Action mailed October 23, 2009, which is being timely filed on November 23, 2009, and for which no extension of time fees are due.

ELECTION

In the Restriction Action mailed October 23, 2009, the Examiner required restriction between claims 1 and 63-81 (Group I), 82-84 (Group II) and 85-87 (Group III), stating that inventions of Groups I-III do not relate to a single general inventive concept and lack the same or corresponding technical feature.

While traversing the instant restriction requirement, and in order to comply with the restriction requirement, Applicants hereby elect Group I, claims 1 and 63-81, drawn to a composition for potentiating antioxidative activities.

Where the composition of elected claims of Group I will be found novel and non-obvious, Applicants reserve the right to request rejoinder of non-elected claims drawn on subject-matter depending from or otherwise including all the limitations of the allowed claims. In addition, Applicant reserves the right to file, at a later date, additional divisional applications claiming priority from the present application which are directed to the non-elected inventions.

SPECIES SELECTION

The Examiner has required election of a single species to which the claims shall be restricted if no generic claim is finally held allowable. As Group I (claims 1 and 63-81) has been elected, Applicants elect the species of:

Classical antacid as the antacid group (see claim 68).

Calcium carbonate as the particular antacid component (see claim 68).

Polyphenols as the antioxidant component (see claim 74).

Flavonol as the particular polyphenol (see claim 75).

Claims 1, 63-67, 68 (as it relates to classic antacids and calcium carbonate), 74 (as it relates to polyphenols), 75 (as it relates to flavonol) and 76-81 encompass the elected subject-matter.

Respectfully submitted,

/Jason H. Rosenblum/

Jason H. Rosenblum
Registration No. 56,437
Telephone: 718.246.8482

Date: November 23, 2009